



PATENT
Docket No. 435712000920

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Kerry Keehan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Christopher J. DANEK et al.

Serial No.: 09/296,040

Filing Date: April 21, 1999

For: MODIFICATION OF AIRWAYS BY
APPLICATION OF ENERGY

Examiner: A. Farah

Group Art Unit: 3739

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

BOX RCE

Assistant Commissioner for Patents
Washington, D.C. 20231

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Dear Sir:

Pursuant to 37 C.F.R. §1.97 and §1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of document nos. 5, and 94-95 were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/095,323, filed June 10, 1998, and, accordingly, copies are not included herewith. Copies of document nos. 1-4, and 6-93 are being submitted herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☒ With the application; accordingly, no fee or separate requirements are required.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee. Accordingly, a Petition requesting consideration of the Information Disclosure Statement, an authorization to charge our deposit account, and a Certification under 37 C.F.R. § 1.97(e) are provided herein.

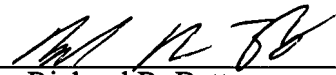
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is to the best of my knowledge and is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 435712000920. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 15, 2001

Respectfully submitted,

By: 
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